IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

MONDAY, THE 2ND APRIL 2007 / 12TH CHAITHRA 1929

WP(C).No. 11318 of 2007(V)

PETITIONERS:

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1. SHAJAHAN,AGED 49 YEARS,
   THOPPLKIZHAKKATHIL ISHA MANZIL, KUREEPUZHA,
   KOLLAM VILLAGE, KOLLAM.

2. NOORJAHAN, AGED 45 YEARS,
   THOPPILKIZHAKKATHIL ISHA MANZIL,
   KUREEPUZHA, KOLLAM VILLAGE, KOLLAM.

BY ADV. SRI.T.M.RAMAN KARTHA

RESPONDENTS:

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1. MUNICIPAL CORPORATION, KOLLAM,
   REPRESENTED BY ITS SECRETARY.

2. NOORJAHAN, AGED 46 YEARS,
   VELIYAZHIKOM PURAYIDOM, KUREEPUZHA,
   KOLLAM VILLAGE, KOLLAM.

3. THAJUDEEN, AGED 56 YEARS,
   VELIYAZHIKOM PURAYIDOM, KUREEPUZHA,
   KOLLAM VILLAGE, KOLLAM.

R1 BY ADV. SRI. M.K. CHANDRAMOHAN DAS, SC.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 02/04/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE, J.

W.P.(C) No. 11318 OF 2007

Dated this the 2nd day of April, 2007

JUDGMENT

Sri.Chandramohan Das, Standing Counsel takes notice on behalf of Kollam Corporation.

The grievance of the petitioner is that even though the writ in question is the subject matter of the on going civil litigation before the District Court, Kollam by way of a regular Civil Appeal, the Corporation is going ahead with tarring of road in implementation of Ext.P5. As rightly submitted by the Standing Counsel Ext.P7 will show that in view of the on going civil litigation in respect of the road in question, it is stated that follow up action will not be taken. I dispose of the Writ Petition directing the writ petitioner to seek his remedies from the District Court. However, there will be a direction to the Corporation not to conduct any tarring work on the road in question for a period of 10 days from today.

PIUS C. KURIAKOSE, JUDGE

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